

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-115514-001 DT

06/10/2013

COMMISSIONER R. JEFFREY WOODBURN

CLERK OF THE COURT

M. Cabral

Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

CELISA MARIE RODRIGUEZ (001)

DOB: 01/05/1989

TOM M TIMMER

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:31 a.m.

Courtroom 2C - South Court Tower

State's Attorney: Samantha Caplinger for Heather Kirka

Defendant's Attorney: Tom Timmer

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (Amended): Possession of Marijuana
Class 6 Undesignated Felony

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A.R.S. § 13-3401, 13-3405, 13-3416, 13-3418, 13-610, 12-269, 13-604, 13-701, 13-702, 13-801, 13-901.01(D), 13-707, 13-802, and 13-901.01(H)

Date of Offense: January 18, 2013

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

To begin 06/10/2013.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 08/01/2013.

FINE: Count 1 - Total amount of \$1372.50, which includes surcharges of 83%, payable \$35.00 per month beginning 08/01/2013.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on 08/01/2013.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 08/01/2013.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on 08/01/2013.

Investigative Agency:

Glendale Police Department

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Count 1: \$15.00 to the Drug Lab Remediation payable on 08/01/2013.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 24 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 22: Other - Drug treatment and random drug testing are ordered.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2 and 3.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The EDC Adult Probation Office has prepared a written Presentence Investigation and Recommendation.

9:35 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER R. JEFFREY WOODBURN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)